

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JANET PICKENS,

No. C-08-0004 MMC

Plaintiff,  
v.

**ORDER GRANTING DEFENDANT'S  
MOTION TO DISMISS; VACATING  
HEARING; DISMISSING COMPLAINT  
WITHOUT LEAVE TO AMEND**

VERIZON WIRELESS,  
Defendant

Before the Court is defendant GTE Mobilnet of California Limited Partnership's Motion to Dismiss, filed January 9, 2008.<sup>1</sup> Plaintiff Janet Pickens, although served with the motion, has failed to file opposition or any other response to the motion.<sup>2</sup>

Having read and considered the moving papers, the Court finds the matter appropriate for decision without oral argument, VACATES the hearing scheduled for February 29, 2008, and, for the reasons stated by defendant, hereby GRANTS the motion and DISMISSES the complaint without leave to amend.

The Clerk shall close the file.

**IT IS SO ORDERED.**

Dated: February 14, 2008

  
MAXINE M. CHESNEY  
United States District Judge

<sup>1</sup>Defendant was erroneously sued herein as "Verizon Wireless."

<sup>2</sup>Pursuant to the Civil Local Rules of this District, opposition was due no later than February 8, 2008. See Civil L. R. 7-3(a) (providing opposition to motion must be filed no later than 21 days before hearing date).